

TODD KIM
Assistant Attorney General
Environment & Natural Resources Division
United States Department of Justice

SHANNON BOYLAN
LUTHER L. HAJEK
United States Department of Justice
Environment and Natural Resources Division
150 M St NE
Washington, D.C. 20002
Tel: (202) 598-9584 / Fax: (202) 305-0506
shannon.boylan@usdoj.gov
Tel: 303-844-1376 / Fax: 303-844-1350
luke.hajek@usdoj.gov

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

THE STATE OF NORTH DAKOTA, *et al.*,

Plaintiffs,

v.

THE UNITED STATES DEPARTMENT OF
INTERIOR, *et al.*,

Defendants.

No. 1:24-cv-124-DMT-CRH

**DEFENDANTS' MOTION TO
TRANSFER**

**DEFENDANTS' MOTION TO TRANSFER THIS CASE TO THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF UTAH**

Defendants United States Department of the Interior, Deb Haaland, in her official capacity as the Secretary of the Interior, the Bureau of Land Management ("BLM"), and Tracy Stone-Manning in her official capacity as Director of BLM, move to transfer this case to the United States District Court for the District of Utah. Plaintiffs, the States of North Dakota, Idaho,

and Montana, challenge the same agency rule that is challenged in *State of Utah v. Haaland*, Case No. 2:24-CV-00438 (D. Utah) by the States of Utah and Wyoming. Transfer is warranted under 28 U.S.C. § 1404(a) because the Utah case was filed first, a preliminary injunction proceeding is underway in that court, and Utah contains 400 times more land potentially subject to the rule than does North Dakota, and therefore has a far greater underlying interest in the litigation.

Pursuant to D.N.D. Civ. L.R. 7.1(B), a Memorandum in Support is attached to this Motion.

Respectfully submitted this 22nd day of July, 2024.

TODD KIM
Assistant Attorney General
Environment & Natural Resources Division
United States Department of Justice

/s/ Shannon Boylan
SHANNON BOYLAN (DC Bar # 1724269)
Trial Attorney
United States Department of Justice
Environment and Natural Resources Division
150 M St NE
Washington, D.C. 20002
Tel: (202) 598-9584 / Fax: (202) 305-0506
shannon.boylan@usdoj.gov

LUTHER L. HAJEK
Trial Attorney
United States Department of Justice
Environment and Natural Resources Division
999 18th St.
South Terrace – Suite 370
Denver, CO 80202
Tel: 303-844-1376 / Fax: 303-844-1350
luke.hajek@usdoj.gov

Attorneys for Defendants